

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

YASMIN FOSTER & CHADWICK)	
THOMPSON, Jr.,)	
)	CIVIL ACTION FILE
Plaintiffs,)	
v.)	4:20-CV-_____
)	
DANNY KEITH STREETMAN,)	
POLK COUNTY, GEORGIA,)	Polk Superior Court
and JOHN DOES 1 – 3,)	
)	File SUCV2022-000310
Defendants.)	

NOTICE OF REMOVAL

COME NOW Defendants STREETMAN AND POLK COUNTY, GEORGIA in the above-styled civil action, and, pursuant to 28 U.S.C. § 1446(a), file their Notice of Removal, showing the Court as follows:

1.

Danny Streetman and Polk County, Georgia are named Defendants in the civil action styled Foster et al. v. Streetman, et al., in the Superior Court of Polk County, State of Georgia, Civil Action File No. **SUCV2022-000310** (the “Civil Action”); the Defendants hereby remove this civil action to this Court, on the basis that the Plaintiffs

have asserted federal law claims, providing the Defendants with the right of removal.

2.

Copies of all process and pleadings received by any Defendant to date in this action are attached hereto, as well as other materials filed in the Polk County Superior Court.

3.

This Civil Action may be removed to this Court pursuant to 28 U.S.C. § 1141 *et seq.*

4.

Defendant STREETMAN received notice of the Civil Action in May, 2022. Defendant POLK COUNTY has not been served with any lawsuit papers, but waived service on June 28, 2022. Therefore, this Notice of Removal is filed within thirty (30) days of notice by the last-served Defendant (Polk County), as required by 28 U.S.C. § 1446 (b). *Bailey v. Janssen Pharmaceutica, Inc.*, 536 F.3d 1202, 1208-09 (11th Cir. 2008).

5.

This Court has jurisdiction over this Civil Action pursuant to 28 U.S.C. §§ 1331 and 1343 in that the Plaintiff has asserted claims arising under the Constitution or laws of the United States.

6.

This Notice of Removal is filed in the United States District Court for the District and Division encompassing the county where the Civil Action is pending. All non-fictitious, named Defendants consent and join in this removal.

WHEREFORE, Defendants respectfully pray that this Civil Action be removed to and proceed in this Court and that no further proceedings be had in the Superior Court of Polk County, Georgia.

Respectfully submitted,

WILLIAMS, MORRIS & WAYMIRE, LLC

/s/ Jason Waymire

JASON C. WAYMIRE

Georgia State Bar No. 742602

Attorney for Defendants Polk County, GA
and Streetman

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CERTIFICATE OF SERVICE

This will hereby certify that I, the undersigned, have this day served upon all parties **DEFENDANTS' NOTICE OF REMOVAL (with exhibits)** by electronic filing through the CM/ECF system in accordance with the United States District Court rules to:

C. Victor Long
attjud@bellsouth.net
Kamau K. Mason
kkmason@yahoo.com

This 6 day of July, 2022.

WILLIAMS, MORRIS & WAYMIRE, LLC

/s/ Jason Waymire

JASON C. WAYMIRE

Georgia State Bar No. 742602